



WILLIAM T FUJIOKA  
Chief Executive Officer

## County of Los Angeles CHIEF EXECUTIVE OFFICE

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November 5, 2008

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**AMENDMENT TO THE CONTRACT WITH LOS ANGELES COUNTY  
BAR ASSOCIATION'S INDIGENT CRIMINAL DEFENSE APPOINTMENTS  
PROGRAM FOR COUNTYWIDE ADULT CRIMINAL INDIGENT DEFENSE SERVICES  
(ALL DISTRICTS AFFECTED) (3 VOTES)**

**SUBJECT**

A recommendation from the Chief Executive Office to approve an amendment to the Indigent Criminal Defense Contract with Los Angeles County Bar Association to increase funding for program administration. Approval of the recommendation will ensure quality legal representation is provided to indigent defendants.

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Approve a contract Amendment between the County of Los Angeles (County) and the Los Angeles County Bar Association (LACBA) to increase by \$48,000 the annual compensation paid for administration of the Indigent Criminal Defense Appointments (ICDA) Program.
2. Delegate authority to the Chief Executive Officer to sign the contract amendment.

*"To Enrich Lives Through Effective And Caring Service"*

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### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the contract Amendment is to provide funding to offset the additional administrative workload resulting from an increase in the number of courtrooms that must be staffed when the Public Defender and Alternate Public Defender are unable to represent their defendant(s) because of a conflict of interest or other lawful unavailability.

### **IMPLEMENTATION OF STRATEGIC PLAN GOALS**

This public/private partnership between the County and LACBA supports Strategic Plan Goal No. 1, Service Excellence, by providing quality public service, and Goal No. 3, Organizational Effectiveness, by enhancing organizational effectiveness across jurisdictional boundaries, and Goal No. 4, Fiscal Responsibility.

### **FISCAL IMPACT/FINANCING**

Under the Lockyer-Isenberg Trial Court Funding Act of 1997, the County of Los Angeles is responsible for criminal indigent defense costs. The increase totals \$48,000 annually. Funding to cover total contract is available in the Trial Court Indigent Defense Budget for Fiscal Year 2008-09. The total annual contract amount is \$600,000.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

In December 1998, the County entered into a multi-year contract with LACBA to provide adult criminal indigent defense services for third-tier conflicts and other lawful unavailability cases where the Public Defender and Alternate Public Defender are unable to represent. The original contract provides panel attorneys with set hourly rate compensation based upon case type, and a flat amount for administrative coordination of the Countywide adult criminal indigent defense appointment program, and of the Capital Case program.

On June 17, 2008, your Board approved the contract extension and amendment that increased hourly rates for servicing attorneys by 10 percent. At that time, the program administration costs detail was not available, and due to the filing deadline, we weren't able to bring the request for the administration fee increase before your Board.

The proposed increase of 10 percent is consistent with the rate increase to the servicing attorneys. Total program administration fee will be \$600,000 annually.

The amendment has been approved as to form by County Counsel.

**CONTRACTING PROCESS**

The requested action amends the current contract for amount only. All other terms and conditions of the original contract remain valid.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The proposed Amendment provides a reasonable compensation increase to ensure continued adult indigent criminal defense services for third-tier defendants that cannot be represented by the Public Defender or Alternate Public Defender due to conflicts.

**CONCLUSION**

Upon approval of the recommendations by the Board of Supervisors, it is requested that the Executive Officer, Clerk of the Board return two (2) fully executed copies of the amendment to the Chief Executive Office.

Respectfully submitted,



WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:SRH:RDC  
JW:NM:cc

c: County Counsel

**LOS ANGELES COUNTY BAR ASSOCIATION (LACBA)  
INDIGENT CRIMINAL DEFENSE APPOINTMENTS PROGRAM (ICDA)  
COUNTYWIDE INDIGENT DEFENSE SERVICES  
SYN #58 OF 11/10/98**

**CONTRACT AMENDMENT  
EFFECTIVE ONE DAY AFTER BOARD APPROVAL THROUGH  
JUNE 30, 2011**

**Whereas**, on July 1, 2008, the existing agreement between the County of Los Angeles and the Los Angeles County Bar Association's Indigent Criminal Defense Appointment (ICDA) program was extended for three years on the same terms set for in both the original contract and subsequent contract extensions; and

**Whereas**, said agreement provides a cost-effective program for third tier criminal defense services for clients the Public Defender and Alternate Public Defender are unable to represent because of a conflict of interest or other lawful unavailability; and

**Whereas**, the Los Angeles County Bar Association provides complete administrative coordination of Los Angeles County's Countywide Capital Case and ICDA panel attorney programs; and

**Whereas**, the ICDA administration program is experiencing an increase in administrative support costs associated with the administration of the adult indigent defense service contract which provides legal services to indigent individuals when the Public Defender and Alternate Public Defender are unable to represent because of conflict of interest or other lawful unavailability.

Effective the day after Board of Supervisors approval, this Contract is amended to modify the language in Paragraph 4:

“Beginning with contract year 2008-09, said administrative fee shall be increased to \$600,000, of which \$72,000 is specifically for Sexually Violent Predator civil commitment proceedings.”

The undersigned mutually agree to this amendment.

Date:

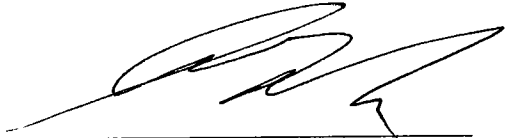
Date:

\_\_\_\_\_  
Contractor

\_\_\_\_\_  
County's Contract Manager

Approved as to form:  
Office of County Counsel

Date:



\_\_\_\_\_  
Principal Deputy County Counsel

\_\_\_\_\_  
Executive Officer, Board of Supervisors

Date:

\_\_\_\_\_  
Auditor-Controller